

**Thelen Reid & Priest LLP**

*Attorneys At Law*

225 West Santa Clara Street, Suite 1200  
San Jose, CA 95113-1723

Tel. 408.292.5800

Fax 408.287.8040

www.thelenreid.com

**F A X C O V E R P A G E**

**Date:** August 23, 2005

**Total Pages:** 4  
(including cover)

**RECEIVED  
CENTRAL FAX CENTER**

**AUG 23 2005**

**To:** Kamal B. Divecha, Patent  
Examiner, Group Art Unit 2151,  
U. S. Patent & Trademark Office

**Fax:** 571.273.8300  
**Phone:** 571.272.5863

**From:** Marc S. Hanish

**Fax:** 408.278.8204  
**Phone:** 408.282.1804  
**E-Mail:** mhanish@thelenreid.com

**VIA FAX ONLY**

U.S. Serial No. 09/952,259, filed September 13, 2001

Attorney Docket No. CISCO-4785

Please see following Applicant Initiated Interview Request Form

In case of a problem with this transmission, please call the Fax Operator at 408.282.1866

JOB #	ATTORNEY #	CLIENT-MATTER	RETURN TO	ROOM #
	40540	032590/167	Sharon	1863

**IMPORTANT:** This fax transmission is intended only for the addressee. It contains information from the law firm of Thelen Reid & Priest LLP which may be privileged, confidential and exempt from disclosure under applicable law. Dissemination, distribution, or copying of this by anyone other than the addressee or the addressee's agent is strictly prohibited. If this transmission is received in error, please notify Thelen Reid & Priest LLP immediately at the telephone number indicated above. We will reimburse your costs incurred in connection with this erroneous transmission and your return of these materials. THANK YOU.

SV #219838 v1

**Certificate of Transmission under 37 CFR 1.8**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

on August 23, 2005.

Date

*Sharon E. Byam*

Signature

Sharon E. Byam

Typed or printed name of person signing Certificate

N/A

Registration Number if applicable

(408) 292-5800

Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

U.S. Serial No. 09/952,259, Applicant Initiated Interview Request Form

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**Applicant Initiated Interview Request Form****RECEIVED****CENTRAL FAX CENTER**Application No.: 09/952,259 First Named Applicant: Indrajanti SukimanExaminer: Kamal B. Divecha Art Unit: 2151 Status of Application: Pending**AUG 23 2005****Tentative Participants:**(1) Kamal B. Divecha, Examiner(2) Marc S. Hanish, Reg. No. 42,626

(3) \_\_\_\_\_

(4) \_\_\_\_\_

Proposed Date of Interview: \*

Proposed Time: \_\_\_\_\_ (AM ☐ / PM ☐)**Type of Interview Requested:**(1) ☒ Telephonic(2) ☐ Personal(3) ☐ Video ConferenceExhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description: \_\_\_\_\_

**Issues To Be Discussed**

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Rei.</u>	<u>5-8; 11; 18</u>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☒ Continuation Sheet Attached**Brief Description of Arguments to be Presented:**Please see attached Continuation Sheet.**\*Please contact Marc Hanish at (408) 282-1804 to arrange a time at Examiner's convenience.**

An interview was conducted on the above-identified application on \_\_\_\_\_

**NOTE:** This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

\_\_\_\_\_  
Applicant/Applicant's Representative Signature\_\_\_\_\_  
Examiner/SPE SignatureMarc S. Hanish\_\_\_\_\_  
Typed/Printed Name of Applicant or Representative42,626\_\_\_\_\_  
Registration Number, if applicable

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

U.S. Serial No. 09/952,259 (CISCO-4785)

Interview Request Continuation Sheet

Applicant wishes to discuss the finality of the office action. Specifically, Applicant respectfully maintains that some of the 112, 2nd paragraph rejections are brand new. Applicant further respectfully maintains that some of these new grounds of rejections were NOT necessitated by Applicant's amendments. For example, a new 112, 2nd paragraph rejection is made to claims 5-8, 11, and 18 despite the fact that the changes to these claims were either minor in nature (such as claim 1 changing the word "subnet" to "subnets") or non-existent (claims 8, 11, and 18). Applicant would like to discuss this issue with respect to MPEP 706.07(a), which states that a second action can be made final "except where the examiner introduces a new ground of rejection that is neither necessitated by applicant's amendment of the claims nor based on information submitted in an information disclosure statement...". While Applicant recognizes that many of the new grounds of rejection were necessitated by Applicant's last amendment, the fact that there is at least one new ground of rejection which was not necessitated by Applicant's last amendment makes the finality of the Office Action improper. The patent office had full opportunity to bring the new 112, 2nd paragraph rejections to the attention of the Applicant during the first Office Action. By waiting until the Final Office Action to do so, the Patent Office has effectively denied the Applicant the opportunity to have arguments on these rejections heard without filing an RCE.

SV #219781 v1